

TB665381717

Express Mail No.: TB 665 381 717 US

FORM PTO-1390
(REV. 11-94)

OCT 30 1997

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

8484-018-999

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

INTERNATIONAL APPLICATION NO.
PCT/DE95/00775

INTERNATIONAL FILING DATE
11 JUNE 1995

PRIORITY DATE CLAIMED
16 JUNE 1994

TITLE OF INVENTION

CHIMERICAL PEPTIDE-NUCLEIC ACID FRAGMENT, PROCESS FOR PRODUCING THE SAME AND ITS USE FOR
APPROPRIATELY INTRODUCING NUCLEIC ACIDS INTO CELL ORGANELLES AND CELLS

APPLICANT(S) FOR DO/EO/US

PETER SEIBEL and ANDREA SEIBEL

Applicant herewith submits to the United States Designated/ Elected Office (DO/EO/US) the following items under 35 U.S.C. 371:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the international Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureaus.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 37(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

* A Verified Statement (Declaration) Claiming Small Entity Status [37 CFR 1.9(f) and 1.27(b)] - Independent Inventor

INTERNATIONAL APPLICATION NO.
PCT/DE95/00775

INTERNATIONAL FILING DATE
11 JUNE 1995

17. ☒ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees as follows:

CLAIMS

(1)FOR	(2)NUMBER FILED	(3)NUMBER EXTRA	(4)RATE	(5)CALCULATIONS
TOTAL CLAIMS	71 -20=	51	X \$ 22.00	\$ 1,122.00
INDEPENDENT CLAIMS	2 -3=	0	X \$ 80.00	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 260.00	260.00
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): CHECK ONE BOX ONLY				
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ 700				
<input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 770				
<input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1040				1040.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2) to (4) \$ 96				
<input type="checkbox"/> Filing with EPO or JPO search report \$ 910				
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)).				130.00
TOTAL OF ABOVE CALCULATIONS				= 2,552.00
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).				- 1,276.00
SUBTOTAL				= 1,276.00
Processing fee of \$130.00 for furnishing the English Translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)).				+ 130.00
TOTAL FEES ENCLOSED				\$ 1,406.00

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge Deposit Account No. 16-1150 in the amount of \$ 1406.00_____ to cover the above fees. A copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1150. A copy of this sheet is enclosed.

18. ☒ Other instructions
Please calculate fees for the claims after entering the first Preliminary Amendment.

19. ☒ All correspondence for this application should be mailed to
PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036-2711

20. ☒ All telephone inquiries should be made to (212) 790-2803

Albert P. Halluin
NAME

SIGNATURE

25,227
REGISTRATION NUMBER

DATE

12/16/96

BOX PCT

Express Mail No. EM 202 007 174 US First Class Mail ()
Date Mailed October 30, 1997
Ser. No. 08/765,244 Int'l Filed 11 June 1995
Inventor Seibel et al.

For CHIMERICAL PEPTIDE-NUCLEIC ACID FRAGMENT, PROCESS FOR
PRODUCING THE SAME AND ITS USE FOR APPROPRIATELY INTRODUCING NUCLEIC
ACIDS INTO CELL ORGANELLES AND CELLS

- | | |
|---|--|
| () Affidavit/Declaration | () Fee Address Indication Form |
| () Amendment | () Fee Calculation |
| () Application <u> </u> Pages | () Issue Fee Transmittal |
| () <u> </u> Claims <u> </u> Drawings | () Letter |
| () Appeal, Notice of | () Oral Hearing Req./Confirm. |
| () Assignment | (X) Petition to Extend Time +1 copy |
| () Brief (in triplicate) | () Pet. under 37 C.F.R. |
| (X) Declaration & Power of Attorney (executed) | () Power of Attorney |
| () Design Application | <u> </u> Associate <u> </u> w/Revocation |
| () Disclaimer | () Sequence Listing w/Computer |
| () Disclosure Statement | Readable and Paper Copies |
| () w/refs. () w/o refs. | (X) Small Entity Statement (executed) |
| () Drawings Formal | () Status Letter |
| <u> </u> Sheets <u> </u> Figures | () Transmittal Letter |

Response to Notification of Missing Requirements (+copy of fee sheet); return copy of Notification of Missing Requirements; copy of Transmittal Letter filed 12/16/96; return postcard

File No. 8484-018-999 Sender: LAC/BBM/sml



Express Mail No. EM 202 007 174 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Peter Seibel et al.

Serial No.: 08/765,244

Group Art Unit: UNASSIGNED

Int'l Filing Date: 11 June 1995

Examiner: UNASSIGNED

For: Chimerical Peptide-Nucleic Acid
Fragment, Process for Producing
the Same and Its Use For
Appropriately Introducing Nucleic
Acids Into Cell Organelles and
Cells

Attorney Docket No.:
8484-018-999

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed by the U.S. Patent and Trademark Office on June 9, 1997, Applicants submit the following documents to complete the filing for the above-identified application:

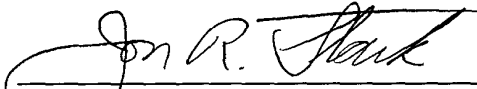
1. Petition for Extension of Time under 37 CFR § 1.136(a);
2. Executed Declaration and Power of Attorney signed by the inventors in compliance with 37 CFR 1.497(a) and (b);
3. Executed Verified Statements (Declaration) Claiming Small Entity Status in compliance with 37 CFR 1.9(f) and 1.27(b); and
4. Return copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

The notification also states that a surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date must be furnished in compliance with 37 CFR 1.492(e). Please note that such surcharge was previously requested to be deducted from Deposit Account No. 16-1150, pursuant to our fee transmittal submitted on December 16, 1996. Attached is a copy of the document for your convenience. If the fee was not previously deducted from said deposit account, the Commissioner is requested to and authorized to charge the payment to Deposit Account No. 16-1150 at this time.

Applicants believe no fee is due for filing this response. However, should the Commissioner determine otherwise, he is authorized to charge any underpayment or credit to Deposit Account No. 16-1150 for any matter in connection with this response which may be required. A copy of this sheet is attached.

Respectfully submitted,

Date October 30, 1997


Jon R. Stark

30,111
(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures

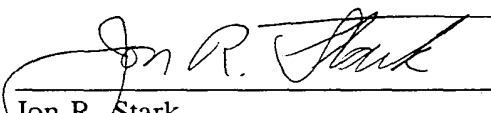


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Respectfully submitted,

Date October 30, 1997


Jon R. Stark 30,111
(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures